

2020 Regular Session

SENATE BILL NO. 303

BY SENATOR MORRIS

TRAFFIC. Allows a local police department to use certain electronic forms. (8/1/20)

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AN ACT

To amend and reenact R.S. 32:415.2(A)(2)(a) and 863.1(C)(1)(a), relative to issuing of citations; relative to electronic citations; relative to issuance of a notice of suspension or revocation of driving privilege; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 32:415.2(A)(2)(a) and 863.1(C)(1)(a) are hereby amended and reenacted to read as follows:

§415.2. Operating vehicle while under suspension or revocation; removal of license plate

A.(1) \* \* \*

(2)(a) If the law enforcement officer determines the driver's license of the operator of a motor vehicle registered in this state is suspended or revoked at the time of the stop, pursuant to any provision of this Title or any court order, and ~~such~~ **the** motor vehicle registered in this state is registered in the name of the operator in the department's vehicle registration records, the law enforcement officer shall remove the license plate from the motor vehicle, and the operator of the motor vehicle shall be issued a notice of suspension or revocation of his driving privileges

1 on a ~~form~~ **physical form** to be promulgated by the department **or a similar**  
2 **electronic form that is provided by the department.**

3 \* \* \*

4 §863.1. Evidence of compulsory motor vehicle liability security contained in  
5 vehicle; enforcement; penalty; fees

6 \* \* \*

7 C.(1)(a) If the operator of a motor vehicle is unable to show compliance with  
8 the provisions of this Part by displaying the required document when requested to  
9 do so, the motor vehicle shall be impounded and the operator shall be issued a notice  
10 of noncompliance with the provisions of this Part on a ~~form~~ **physical or electronic**  
11 **form,** to be provided by the department. Notwithstanding the provisions of R.S.  
12 32:852(E), such notice may be sent by first class mail. A copy of the notice of  
13 noncompliance shall be provided to the towing or storage company and a copy shall  
14 be forwarded to the office of motor vehicles within three calendar days after the  
15 notice of noncompliance was served. The notice of noncompliance shall serve as  
16 notice of administrative hearings rights. In addition, the law enforcement officer  
17 shall remove the license plate from the vehicle if the vehicle is registered in  
18 Louisiana. The law enforcement officer shall deliver the vehicle license plate to the  
19 chief of the agency which employs the officer, or to a person in that agency  
20 designated to receive such license plates. In those cases in which a motor vehicle is  
21 not impounded, a copy of the notice of noncompliance shall be attached to the  
22 vehicle license plate and both shall be delivered to the nearest office of motor  
23 vehicles within three calendar days after the notice of noncompliance was served.

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Xavier I. Alexander.

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SB 303 Original DIGEST 2020 Regular Session Morris

Present law provides that when law enforcement officers determine that an operator of a vehicle has a suspended or revoked drivers license at the time of a stop and the vehicle is registered to the operator, the officer shall remove the license plate and issue a form to be

promulgated by the department.

Proposed law retains present law and further provides that the officer can issue an electronic form similar to the form promulgated by the department.

Present law provides that when an operator of a motor vehicle fails to produce identification of motor vehicle liability insurance then the vehicle shall be impounded and the operator shall be issued a notice of noncompliance on a form to be provided by the department.

Proposed law retains present law and further allows the notice of noncompliance to be issued through an electronic form.

Effective August 1, 2020.

(Amends R.S. 32:415.2(A)(2)(a) and 863.1(C)(1)(a))